

## REMARKS

Applicants appreciate the allowance of Claims 1-16, 22, 23, 25, 26, 28-39 and 43-54 and the indication of allowable subject matter in Claims 20, 21, 42 and 57. Thus, the only remaining issue in the present application is the rejection of Claims 17-19, 24, 27, 40, 41, 55 and 56. Applicants, however, submit that the claims are patentable over the cited references for the reasons discussed below.

### The Section § 103 Rejections

Claims 17-19, 24, 27, 40, 41, 55 and 56 stand rejected as obvious under 35 U.S.C. § 103 based on United States Patent No. 6,687,375 to Matyas *et al.* (hereinafter "Matyas") in light of Rivest *et al.*, "A method for obtaining digital signatures and public-key cryptosystems," Communications of the ACM, Vol. 21, Issue 2, February, 1978 (hereinafter "Rivest"). Matyas issued February 3, 2004 and was filed June 2, 1999. Thus, Matyas may only qualify as prior art under 35 U.S.C. § 102(e), which states:

e) the invention was described in — (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language;

35 U.S.C. §102(e), emphasis added. However, Matyas and the present application are commonly assigned to International Business Machines Corporation and have the same inventive entity (Stephen Michael Matyas, Jr., Mohammad Peyravian, Allen Leonid Roginsky and Nevenko Zunic) as the inventorship of the present application is identical to that of Matyas. *See* M.P.E.P. § 706.02(f). As such, Matyas does not qualify as prior art under 35 U.S.C. § 102(e). Accordingly, Applicants submit that the present application is allowable over the cited references and, therefore, request withdrawal of the present rejection.

**Conclusion**

In light of the above discussion, Applicants submit that the present application is in condition for allowance, which action is respectfully requested.

It is not believed that an extension of time and/or additional fee(s)-including fees for net addition of claims-are required, beyond those that may otherwise be provided for in documents accompanying this paper. In the event, however, that an extension of time is necessary to allow consideration of this paper, such an extension is hereby petitioned under 37 C.F.R. §1.136(a). Any additional fees believed to be due in connection with this paper may be charged to our Deposit Account No. 09-0461.

Respectfully submitted,



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